

**IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF DELAWARE**

DENNIS SMITH
PLAINTIFF

V.

EX - POLICE CHIEF GUY D. BAYNARD,
INDIVIDUALLY AS AGENT OF
FRANKFORD TOWNSHIP

AND

FRANKFORD POLICE DEPARTMENT

AND

JESSE TRUITT, INDIVIDUALLY AND AS
COUNCILMAN AND POLICE
COMMISSIONER, AND AGENT FOR
FRANKFORD TOWNSHIP

AND

ALBERT OLIVER, INDIVIDUALLY AND
AS COUNCILMAN, AND AGENT FOR
FRANKFORD TOWNSHIP

AND

STEVEN C. BROUGHT, INDIVIDUALLY AND
AS FORMER COUNCILMAN PRESIDENT,
AND AS AGENT FOR FRANKFORD
TOWNSHIP

AND

KENNETH LYNCH, INDIVIDUALLY
AND COUNCILMAN AND AS AGENT FOR
FRANKFORD TOWNSHIP

AND

THOMAS W. ESENDER, INDIVIDUALLY
AND AS FORMER COUNCILMAN
PRESIDENT, AND AS AGENT FOR
FRANKFORD TOWNSHIP

AND

THEODORE ELSE, INDIVIDUALLY AND
AS COUNCILMAN, AND AS AGENT FOR
FRANKFORD TOWNSHIP

Case No. **98 - 00639 JJF**

**"Federal Question(s)"
Illegally - Delayed**

28 U.S.C.A. § 1331.

DEFENDANTS

)
)

MOTION

For, a Motion Inlimine,.

I, the Pro se injured fully involuntarily - "Heinously - "Wrongfully -
"Injured, / racially - invidiously - exploited - plaintiff,. I, do hereby Move
as ex parte - like {MOVANT}, and do hereby legally "REQUEST, / and
amicalby {SUMMON}, this "Federally - "Operated, court of law, To, at
{ALL}, {"DELIBERATE / SPEED"}, to immediatedy, in the {SOLE}, interest
of JUSTICE;

STRIKE, THE "VITREOUS, - "TRANSPARENT; DEFENDANT, and
"Counsel"(s) - totally "Base - Less, and immaterial so - called Memorandum
of Point(s) and Authoritie(s), in vitreous - apparent support of Motion to
Strike Exhibit(s) A and B of plaintiff in which goes on eto erroneously
implicate / suggest that I had filed, a {motion} to "Recuse,." When in
fact,. I had legally filed, as legally written a genuine
motion to Disqualify,.

See; **28 U.S.C.A § 455(b)(1).** As was, exactly filed / docketed

Heretofore / Hereunder {Same},.

Please Take Legal Notice, Ethic(s), Moral(s) and Integrity, shall finally be
the core / nucleus of this Federally owned and operated Tribunal as a

matter of law,. At least in this case to avoid any remote legal possibilities of 28 U.S.C.A. § 1404(a),. To, if need be, revitalize, the Fact, / fact(s), that I am truly - legally, "EQUAL, under "Federal – Law;

In legal regards to plaintiff(s) A and B Exhibits, in which Indubitably were directly stipulated, {via} Attorney Bruce C. Herron, clearly confirming and affirming the "Pendente lite" viability of the **November 15, 1996 false arrest** and the **December 14, 1996 false arrest**,. As a matter of Court – Record,. And as a Matter of "Equal Justice" under the law,.

"Final / Last unequivocal – "NOTICE;

A, "Fully – "CONSTITUTIONAL – "VEHEMENT;

WRIT OF MANDAMUS, is truly "IMMINENT,.

Unless, some "Common ground, / "Fruit-ful "Settlement talk(s), including but not limited to; \$ 90k, previously mentioned, and the Zoning – ISSUE,.

"Keeping, in mind; The fact, that "Compulsory – "Arbitration, could, Easily, finally end this "MESS,. What a "OBLOQUY !!

To; The, Elite "Staff, of Chief – Judge; Hon, GREGORY M. SLEET

PLEASE TAKE LEGAL: NOTICE;

"Your Honorable, "Office, has been "Given, "Manifest, "Legal – Notice, of

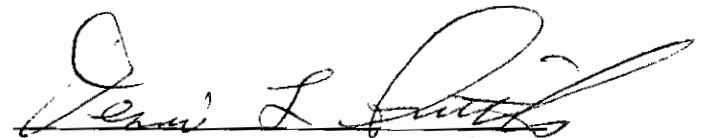
these heretofore "Obstruction(s) of "Justice,. And also, if either, of my
crucial "Demonstrative / "Exact - evidence relevant / pertinent, lethal -
factual Exhibit(s), " A " or " B " are illegally canned,. I, will be truly
unlawfully prejudiced as s matter of "EQUAL - "JUSTICE, under the "Law,.

This wrongful de facto, continued illicit colluded - conspiracy MUST, end,.
For JUSTICE, to "Prevail,.

Your high office has been posted, of the "Proscribed, de facto Conspiracy
based "Miscarriage of "JUSTICE(s), (via) "OBSTRUCTION(S) of JUSTICE,
that could easily, bring on Vicarious - liability,

See 28 U.S.C.A. § 1442(a)(3).

Respectfully, Submitted,

A handwritten signature in black ink, appearing to read "Dennis L. Smith", with a stylized flourish at the end.

Mr. Dennis L. Smith " Pro se "
P.O. Box 311
Selbyville, Delaware 19975 - 0311

Date August 17, 2007

**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
DELAWARE**

DENNIS L. SMITH

Plaintiff,

vs.

EX – POLICE CHIEF GUY D.
BAYNARD, INDIVIDUALLY AND AS
AGENT OF FRANKFORD TOWNSHIP,
et al.,

Defendants

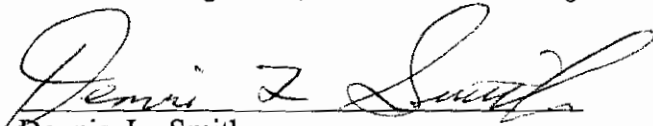
C.A. No. 98 – 00639 JJF

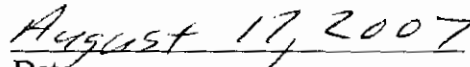
AFFIDAVIT OF DENNIS L. SMITH

STATES OF DELAWARE :
: SS.
NEW CASTLE COUNTY :

The, preceding - indelible truthful – statement(s) in the **MOTION IN LIMINE**
are true to the best of my knowledge and belief(s); of; Dennis L. Smith and are in
full vehement compliance / Compliance(s) Here-with / Here – under;

28 U.S.C.A. § 1746, and 18 U.S.C.A. § 1621.


Dennis L. Smith


Date

CERTIFICATE OF SERVICE

I hereby certify that two true copies of the **MOTION IN LIMINE** have been certified mailed or hand delivered on this 17 day of August 2007, to defendants' counsel and the following addresses:

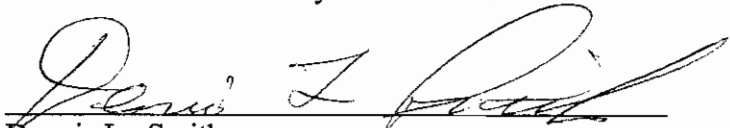
Judge Joseph J. Farnan, Jr.
Office of the Clerk
United States District Court
844 N. King Street, Lockbox 18
Wilmington, DE 19801 -3570
Hand Delivered

The Honorable Robert Daisey, Mayor
of the Town of Frankford
P.O. Box 550
#5 Main Street
Frankford, Delaware 19945
Certified Mail
7002 2410 0001 0232 9836

Mr. Bruce C. Herron esq.,
1220 North Market Street # 300
P.O. Box 25047
Wilmington, Del., 19899 - 5047
Hand Delivered

Ms. Dianna L. Mondeau
Scottsdale Insurance Company
P.O. Box 4120
Scottsdale, AZ 85261 - 4120
Certified Mail
7002 2410 0001 0239 0584

All mentioned above, certified mailed or hand Delivered by Dennis L. Smith.


Dennis L. Smith